

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

United States Courts
Southern District of Texas
ENTERED

APR 28 2005

Michael N. Milby, Clerk of Court

BERNARDO MEDINA,

Petitioner,

vs.

DOUGLAS DRETKE,

Respondent.

§
§
§
§
§
§
§

CIVIL ACTION H-05-1226

MEMORANDUM AND OPINION

Petitioner filed this action seeking habeas corpus relief under 28 U.S.C. § 2254. He challenges a conviction in Dallas County, Texas. Petitioner has filed an affidavit seeking leave to proceed *in forma pauperis*.

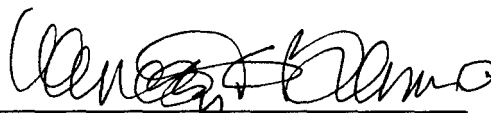
Under 28 U.S.C. § 2241(d), the district court in which the writ of habeas corpus was filed may transfer the writ to the district where the state court which convicted and sentenced the petitioner is located.

The Clerk is ORDERED to transfer this application for writ of habeas corpus to the Clerk of the Northern District of Texas, Dallas Division.

Petitioner's motion to proceed *in forma pauperis*, (Docket Entry No. 2),

is DENIED without prejudice to reconsideration after transfer.

SIGNED at Houston, Texas, on April 26, 2005.

A handwritten signature in black ink, appearing to read 'Vanessa D. Gilmore', written over a horizontal line.

VANESSA D. GILMORE
UNITED STATES DISTRICT JUDGE